

UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING APPLICATION UNDER RULE 53

#2 Pct

Pursuant to 37 CFR 1.53(b), please file a  
 continuation/  divisional  
 of the pending prior PATENT APPLICATION of:

Inventor: NOVACEK ET AL.

Serial No. 08/917,337

Filed: August 25, 1997

For: **SAFETY SYRINGE NEEDLE DEVICE WITH INTERCHANGEABLE AND RETRACTABLE NEEDLE PLATFORM**

12/18/98  
96/01/21  
S  
U.S. Patent Commissioner for Patents  
Washington, DC 20231

Request for filing under Rule 53(b) is made by the following named inventor(s) (using the above-identified title).  
 Inventor(s): NOVACEK ET AL.

Attached is a true copy of the prior application as originally filed including the specification, claims, Oath/Declaration and drawings (if any) and abstract (if any). No amendments (if any) referenced in the Oath or Declaration filed to complete the prior application introduced new matter.  
 Priority is hereby claimed under 35 USC 119 based on the following foreign applications:

<u>Application Number</u>	<u>Country</u>	<u>Day/Month/Year/Filed</u>
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certified copy(ies) of foreign application(s) attached or  
 already filed on \_\_\_\_\_ in prior appln. no. \_\_\_\_\_ filed \_\_\_\_\_  
 Please amend the specification by inserting before the first line: -- This application claims the benefit of U.S. Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_.  
 The prior application is assigned to INVIRO MEDICAL DEVICES, LTD..  
 Power of Attorney has been granted to Richard G. Besha et al, Reg. No. 22,770 of Nixon & Vanderhye P.C., 1100 North Glebe Road, 8<sup>th</sup> Floor, Arlington, Virginia 22201.  
 Address all future communications to: Nixon & Vanderhye P.C., 1100 North Glebe Road, 8<sup>th</sup> Floor, Arlington, Virginia 22201.  
 Please amend the specification by inserting before the first line -- This is a divisional of application Serial No. 08/917,337, filed August 25, 1997, now pending. U.S. --  
 "Small entity" statement of record.  "Small entity" statement attached.  
 Petition filed in prior application to extend its life to insure copendency.  
 The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner for the reasons stated therein.  
 Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:  
 The entire disclosure of the prior application above-referenced is considered as being part of the disclosure of this new application and is hereby incorporated by reference therein.

**FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED**

Basic Filing Fee.....	\$	760.00
Total effective claims 12 - 20 (at least 20) = 0 x \$ 18.00.....	\$	0.00
Independent claims 1 - 3 (at least 3) = 0 x \$ 78.00.....	\$	0.00
If any proper multiple dependent claims now added for first time, add \$260.00 (ignore improper).....	\$	0.00
	<b>SUBTOTAL</b>	<b>\$ 760.00</b>
If "small entity," then enter half (1/2) of subtotal and subtract.....		-\$( 380.00)
	<b>SECOND SUBTOTAL</b>	<b>\$ 380.00</b>
Assignment Recording Fee (\$40.00).....		\$ 0.00
	<b>TOTAL FEE ENCLOSED</b>	<b>\$ 380.00</b>

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.  
 The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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 ROB:alm

NIXON & VANDERHYE P.C.  
 By Atty: Richard G. Besha, Reg. No. 22,770

Signature: Richard Besha

Jc525 U.S. PTO  
09/215519  
12/18/98